

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 26, 2006
SAN FRANCISCO, CALIFORNIA**

S140911 H027693 Sixth Appellate District **VARGAS v. CITY OF SALINAS**

Petition for review granted. The request for judicial notice granted.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S141357 A107822 First Appellate District, Div. 1 **PEOPLE v. EVANS**

Petition for review granted. The issue to be briefed and argued is limited to the following: Did the trial court deny defendant due process or violate his right of allocution when it denied his request to speak on his own behalf before the court imposed sentence?

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S141502 B169805 Second Appellate District, Div. 5 **GENTRY v. S.C. (CIRCUIT CITY STORES)**

Petition for review granted.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S141654 D046044 Fourth Appellate District, Div. 1 **PEOPLE v. NAJERA**

Petition for review granted.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S141790 B180323 Second Appellate District, Div. 7 **WILSON v. 21ST CENTURY INSURANCE**

Petition for review granted. (civil case)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S130080 H026000 Sixth Appellate District **PEOPLE v. TRUJILLO**

Supplemental briefing ordered. Defendant is directed to serve and file on or before May 16, 2006, a Supplemental Brief addressing whether the trial court erred in ruling that defendant's alleged prior conviction for inflicting corporal injury in violation of Penal Code § 273.5, subdivision (a) is "not a strike." The People may file a responsive supplemental brief on or before 20 days from the filing of defendant's supplemental brief. Defendant may file a reply supplemental brief on or before ten days from the filing of the people's supplemental brief.

S142280 B177872 Second Appellate District, Div. 7 **A. (ROBERTO), IN RE**

Order filed: Case held pending decision in another case. Further action in this matter is deferred pending disposition of a related issue in *In re Jesus O.*, S140865 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

S141677 B181422 Second Appellate District, Div. 2 **PEOPLE v. VASQUEZ**

Review granted/briefing deferred (rule 29.1) (criminal case)

Petition for review granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Reed*, S136345 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S141753 G033663 Fourth Appellate District, Div. 3 **JONES v. CITIGROUP**

Review granted/briefing deferred (rule 29.1) (civil case)

Petition for review granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *Gentry v. Superior Court*, S141502 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Kennard, J., is of the opinion that further action in this matter should not be deferred and that briefing should proceed on the issues raised in the petition for review.

Corrigan, J., was recused and did not participate.

Votes: George, C.J., Baxter, Werdegarr, Chin, and Moreno, JJ.

S141807	A112724	First Appellate District, Div. 4	SHEVCHUK v. W.C.A.B. (UNITED AIRLINES)
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Petition for review granted. The matter is transferred to the Court of Appeal, First Appellate District, Division Four, with directions to vacate its summary denial and to issue a writ of review to be heard before that court when the proceeding is ordered on calendar.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S132399 A103716 First Appellate District, Div. 2 **PEOPLE v. SAPHAO**

Dismissed per rule 29.3(b), California Rules of Court, the above-entitled review is dismissed and the cause is remanded to the Court of Appeal, First Appellate District, Division Two. This dismissal is made without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S142068 **BLUDWORTH (TIMOTHY L.) ON H.C.**

Petition ordered withdrawn. Pursuant to written request.

S141027	G036466	Fourth Appellate District, Div. 3	TIDWELL (JOHN B.) ON H.C.
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Petition for review denied.

S141136 A111855 First Appellate District, Div. 2 **HAGGARD (LEWIS) ON H.C.**

Petition for review denied.

S141182 B188439 Second Appellate District, Div. 5 **FORD (RAY) ON H.C.**
Petition for review denied.

S141197 E036773 Fourth Appellate District, Div. 2 **PEOPLE v. FULCHER**
Petition for review denied.

S141298 B188494 Second Appellate District, Div. 1 **SWANIGAN (FRED) ON H.C.**
Petition for review denied.

S141352 F046489 Fifth Appellate District **PEOPLE v. RIOS**
Petition for review denied.
Baxter, J., was recused and did not participate.

S141368 D044792 Fourth Appellate District, Div. 1 **CHRISTIE v. CITY OF EL CENTRO**
Petition for review denied.

S141374 E037356 Fourth Appellate District, Div. 2 **PEOPLE v. MORAN**
Petition for review denied.

S141378 A112866 First Appellate District, Div. 1 **ALLEN (CHARLES) ON H.C.**
Petition for review denied.

S141401 F046573 Fifth Appellate District **PEOPLE v. BYRD**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S141431 A108737 First Appellate District, Div. 3 **PEOPLE v. SCOTT**
Petition for review denied.

S141436 D044689 Fourth Appellate District, Div. 1 **PEOPLE v. ARCHULETA**
Petition for review denied.

S141437 C048033 Third Appellate District **PEOPLE v. DIETZ**
Petition for review denied.

S141470 F045293/F046478 Fifth Appellate District

SOUZA v. WESTLANDS WATER DISTRICT

Petition for review denied.

S141498 B176270 Second Appellate District, Div. 5 **PEOPLE v. CLARK**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S141500 B168860 Second Appellate District, Div. 3 **PEOPLE v. LUNA**

Petition for review denied.

S141512 B179849/B181167 Second Appellate District, Div. 5 **HORSE RESCUE OF AMERICA v. D & D SERVICES**

Petition for review denied.

S141546 B179729 Second Appellate District, Div. 6 **PEOPLE v. LAGUNAS**

Petition for review denied.

S141578 B187320 Second Appellate District, Div. 5 **CLARK (KAVRON) ON H.C.**

Petition for review denied.

S141580 B178046 Second Appellate District, Div. 6 **PEOPLE v. CRITES**

Petition for review denied.

S141588 G034521 Fourth Appellate District, Div. 3 **PEOPLE v. MARANO**

Petition for review denied.

S141611 B180234 Second Appellate District, Div. 8 **BUTLER v. CHILDRENS HOSPITAL OF LOS ANGELES**

Petition for review denied.

S141664 A108733 First Appellate District, Div. 4 **PEOPLE v. CROSBY**

Petition for review denied.

S141665 E037500 Fourth Appellate District, Div. 2 **PEOPLE v. ORTEGA**

Petition for review denied.

S141671 A109721 First Appellate District, Div. 3 **JOHNSON v. COLDWELL BANKER REAL ESTATE**

Petition for review & publication request denied.

S141687 D045487 Fourth Appellate District, Div. 1 **SMITH v. WELLS FARGO BANK**
Petition for review & depublication request denied.

Baxter, Chin, and Corrigan, JJ., were recused and did not participate.

S141695 A107662 First Appellate District, Div. 4 **PEOPLE v. ALAS**
Petition for review denied.

S141699 C045498 Third Appellate District **PEOPLE v. QUEEN**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S141754 C048296 Third Appellate District **PEOPLE v. SHEPHERD**
Petition for review denied.

S141788 F046427 Fifth Appellate District **PEOPLE v. DELANEY**
Petition for review denied.

S141848 A110197 First Appellate District, Div. 4 **L. (DEANNA), IN RE**
Petition for review denied.

S141858 B189474 Second Appellate District, Div. 5 **7-ELEVEN v. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**
Petition for review and application for stay denied.

S141861 B184993 Second Appellate District, Div. 1 **SHUBAL v. PARTUK**
Petition for review denied.

S141871 H027754 Sixth Appellate District **HAYES v. SECURITY NATIONAL INSURANCE**
Petition for review denied.

S141873 B180295 Second Appellate District, Div. 3 **SONNIER v. AMALGAMATED LOCAL 148**

Petition for review denied.

S141889 C049391 Third Appellate District **KAUFMAN & BROAD COMMUNITIES v. PERFORMANCE PLASTERING**

Petition for review & depublication request denied.

S141896 A109876 First Appellate District, Div. 5 **HOWARD S. WRIGHT CONSTRUCTION v. BBIC INVESTORS**

Petition for review denied.

S141897 C046718 Third Appellate District **PEOPLE v. LESPERANCE**
Petition for review denied. Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S141908 E038656 Fourth Appellate District, Div. 2 **L. (A.), IN RE**
Petition for review denied.

S141964 B185200 Second Appellate District, Div. 3 **ZIEGLER v. BANK OF AMERICA**
Petition for review denied.
Chin, J., was recused and did not participate.

S141975 D048128 Fourth Appellate District, Div. 1 **MAHDAVI v. S.C. (CITY OF OCEANSIDE)**
Petition for review denied.

S141980 B183456 Second Appellate District, Div. 7 **PEOPLE v. WILLIAMS**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S141981 F047547 Fifth Appellate District **PEOPLE v. HERNANDEZ**
Petition for review denied.

S141983 F046619 Fifth Appellate District **PEOPLE v. BUSTAMANTE**
Petition for review denied.

S141986 C050017 Third Appellate District
Petition for review denied.

PEOPLE v. BELL

S141990 B178894 Second Appellate District, Div. 4
Petition for review denied.

PEOPLE v. GRIFFITH

S141992 A107113 First Appellate District, Div. 2
Petition for review denied.

PEOPLE v. DUKE

S142000 C046972 Third Appellate District

PEOPLE v. LEE

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S142004 B181393 Second Appellate District, Div. 4
Petition for review denied.

PEOPLE v. PHILLIPS

S142014 H028804 Sixth Appellate District
Petition for review denied.

CAMPBELL, MARRIAGE OF

S142017 D045731 Fourth Appellate District, Div. 1

PEOPLE v. MINNER

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S142023 E038471 Fourth Appellate District, Div. 2

FORD MOTOR COMPANY v. S. C. JUSTICE)

Petition for review denied.

S142026 D044891 Fourth Appellate District, Div. 1
Petition for review denied.

GILMORE AND MUMANI, MARRIAGE OF

S142032 A107037 First Appellate District, Div. 5
Petition for review denied.

PEOPLE v. MARINDA

- S142048** D044426 Fourth Appellate District, Div. 1 **PEOPLE v. GUILLEN**
Petition for review denied. Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Cage*, S127344.
- S142050** B189196 Second Appellate District, Div. 3 **RAUDA v. S.C. (PEOPLE)**
Petition for review denied.
- S142057** A112366 First Appellate District, Div. 2 **GRANT C. LANE CONSTRUCTION v. SPIEGLEMAN**
Petition for review denied.
- S142058** A10937 First Appellate District, Div. 2 **S. (STEPHANIE), IN RE**
Petition for review denied.
- S142072** D045949 Fourth Appellate District, Div. 1 **JARAMILLO v. STATE BOARD FOR GEOLOGISTS AND GEOPHYSICISTS**
Petition for review denied.
- S142078** D045964 Fourth Appellate District, Div. 1 **PEOPLE v. KING**
Petition for review denied.
- S142084** F046270 Fifth Appellate District **PEOPLE v. PEREZ**
Petition for review denied.
- S142088** B180865 Second Appellate District, Div. 5 **C. (RICARDO), IN RE**
Petition for review denied.
- S142090** D044853 Fourth Appellate District, Div. 1 **ESPARZA, MARRIAGE OF**
Petition for review denied.
- S142097** G034261 Fourth Appellate District, Div. 3 **PEOPLE v. URENA**
Petition for review denied.
- S142098** B178632 Second Appellate District, Div. 5 **DOERNBERG v. SPIVAK**
Petition for review denied.

S142099 B187671 Second Appellate District, Div. 4 **MOGHADAM v. S.C. (ALPERS)**
Petition for review denied.

S142101 A113159 First Appellate District, Div. 2 **LINDQUIST v. S.C. (LINDQUIST)**
Petition for review denied.

S142105 B180585 Second Appellate District, Div. 6 **PEOPLE v. GUSTAFSON**
Petition for review denied.

S142106 B182221 Second Appellate District, Div. 4 **PEOPLE v. ROCKWELL**
Petitions for review denied. Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S142107 B176855 Second Appellate District, Div. 4 **PEOPLE v. DELACRUZ**
Petition for review denied.

S142126 B176170 Second Appellate District, Div. 2 **PEOPLE v. ROBINSON**
Petition for review denied.

S142175 H029914 Sixth Appellate District **GONZALEZ v. S.C. (PEOPLE)**
Petition for review denied.

S142284 B181113 Second Appellate District, Div. 5 **PEOPLE v. KIMBALL**
Petition for review denied.

S142315 E036846 Fourth Appellate District, Div. 2 **PEOPLE v. ALVARADO**
Petition for review denied.

S142400 D048120 Fourth Appellate District, Div. 1 **THROOP v. S.C. (PEOPLE)**
Petition for review and application for stay denied.

S142810 B190136 Second Appellate District, Div. 3 **SHELLER v. S.C. (FARMERS NEW WORLD LIFE INSURANCE CO.)**
Petition for review and application for stay denied.

S142896 E040314 Fourth Appellate District, Div. 2 **SMITH v. S.C. (PEOPLE)**
Petition for review and application for stay denied.

S133240**FRAHER (CECILIA) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Dixon* (1953) 41 Cal.2d 756; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S133303**GOMEZ (YOURY G.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S133391**WELLS (ROBERT STEVE) ON H.C.**

Petition for writ of habeas corpus denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S133616**MAIER (JOHN FRANCIS) ON H.C.**

Petition for writ of habeas corpus denied.

S133633**DAVIES (A.) ON H.C.**

Petition for writ of habeas corpus denied.

S133915**MALONE (TOMEKO) ON H.C.**

Petition for writ of habeas corpus denied.

S133940**SIMS (ERNEST) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S134161**DE LOS SANTOS (JOSE) ON H.C.**

Petition for writ of habeas corpus denied.

S134164**MOUZON (ALFONSO) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S134166**CORELLA (LUIS) ON H.C.**

Petition for writ of habeas corpus denied.

S134167**JAMISON (WILLIE) ON H.C.**

Petition for writ of habeas corpus denied.

S134188

Petition for writ of habeas corpus denied.

NEW (MARK) ON H.C.**S134191**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**HOLLAND (ERIC) ON H.C.****S134192**

Petition for writ of habeas corpus denied.

OLIVERA (EDDIE) ON H.C.**S134278**Petition for writ of habeas corpus denied. (See *In re Waltreus* (1965) 62 Cal.2d 218.)**PLITT (BRYANT W.) ON H.C.****S134281**

Petition for writ of habeas corpus denied

CAPPS (PHILLIP L.) ON H.C.**S134287**

Petition for writ of habeas corpus denied.

NEWBERRY (THEODORE E.) ON H.C.**S134289**

Petition for writ of habeas corpus denied.

ANDREWS (THEODORE) ON H.C.**S134297**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**JOSEPH (WILLIE) ON H.C.****S134298**Petition for writ of habeas corpus denied. (See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)**CANO (ARTURO GONZALO) ON H.C.****S134299**

Petition for writ of habeas corpus denied.

CHURCHWELL (RICHARD T.) ON H.C.**S134343**

Petition for writ of habeas corpus denied

ROBLES (LUIS HERRERA) ON H.C.**S134344**Petition for writ of habeas corpus denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)**GARCIA (JAMES E.) ON H.C.**

S134345**JOHNSON (DONALD) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S134347****GREENFIELD (ELTON A.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304.)**S134357****CHIU (JEREMY DUT HING) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S134375****CLIFTON (ANDREA K.) ON H.C.**

Petition for writ of habeas corpus denied.

S134389**CALHOUN (JAMONT L.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S134403****SNOW (STEPHEN) ON H.C.**

Petition for writ of habeas corpus denied.

S134435**VEGA (ADRIAN A.) ON H.C.**

Petition for writ of habeas corpus denied.

S134446**PHAN (TRAI) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Dixon* (1953) 41 Cal.2d 756; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Malone* (1996) 12 Cal.4th 935, 946; *In re Miller* (1941) 17 Cal.2d 734.)**S134463****BOLDEN (JAMES E.) ON H.C.**

Petition for writ of habeas corpus denied.

S134465**HAMMER (JEFFREY G.) ON H.C.**

Petition for writ of habeas corpus denied.

S134488**MENDIVIL (OMAR) ON H.C.**

Petition for writ of habeas corpus denied.

S134490**SMITH (ORLANDO) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

S134541**POWELL (MARCUS A.) ON H.C.**

Petition for writ of habeas corpus denied.

S134561**LUTMAN (TELFORD) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S134578**OLIVEROS (EDGAR) ON H.C.**

Petition for writ of habeas corpus denied.

S134579**CAZARES (RENE) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S134590**FULLER (TYRONE) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734.)

S134605**BROWN (ANDRE J.) ON H.C.**

Petition for writ of habeas corpus denied.

S134608**LYNCH (CHRIS J.) ON H.C.**

Petition for writ of habeas corpus denied.

S135627**GUTIERREZ (JUAN) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S135633**HIBBERT (BYRON) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061, 1084; *People v. Bradley* (1969) 1 Cal.3d 80, 86.)

S135634**BROOKS (CHARLES) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061; *People v. Bradley* (1969) 1 Cal.3d 80, 86.)

Werdegar, J., and Chin, J., were recused and did not participate.

S136602**RIZZO (PIERRE) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S136700**ALEGRIA (ANTONIO) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S136842**LARSEN (EDWARD V.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S139927**BRADFORD (RAYMOND A.) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S140049**VENTURA (SALVADOR) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

S140227**CHEN (MARIO) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S140370**MALONE (TOMEKO) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lessard* (1965) 62 Cal.2d 497, 503.)

S141228**LANDS (ROOSEVELT A.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S141366**JONES (PHILLIP) ON H.C.**

Petition for writ of habeas corpus & stay denied.

S141535**STEARNS (SCOTT) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**S142037****BRITTAIN (JESSE B.) ON H.C.**

Petition for writ of habeas corpus denied.

S142043**BRITTAIN (JESSE B.) ON H.C.**

Petition for writ of habeas corpus denied.

S142054**HUNTER (JOHN D.) ON H.C.**

Petition for writ of habeas corpus denied.

S142181**ACEVEDO (VICENTE) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**S142219****TURNER (ANTHONY R.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750.)**S142226****VAZQUEZ (GABRIEL) ON H.C.**

Petition for writ of habeas corpus denied.

S142252**GOMEZ (DENVER) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**S142264****NGUYEN (HA VAN) ON H.C.**

Petition for writ of habeas corpus denied.

S142270**SALAZAR (ERNEST) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**S142298****PAPENHAUSEN (SCOTT E.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)**S142313****NEWMAN (CHARLES) ON H.C.**

Petition for writ of habeas corpus denied.

S142358

Petition for writ of habeas corpus denied.

TORRES (HECTOR) ON H.C.**S142391**

Petition for writ of habeas corpus denied.

DARULIS (MARK) ON H.C.**S142412**

Petition for writ of habeas corpus denied.

WEEMS (EUGENE) ON H.C.**S142506**Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**MURPHY (ROBERT) ON H.C.****S142516**

Petition for writ of habeas corpus denied.

CAMPO (ROBERT) ON H.C.**S142519**

Petition for writ of habeas corpus denied.

AGUNDEZ (ROBERT) ON H.C.**S142522**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**CABADA (JACK) ON H.C.****S142540**

Petition for writ of habeas corpus denied.

STEARNS (SCOTT) ON H.C.**S142550**

Petition for writ of habeas corpus denied.

MCADOO (MARK) ON H.C.**S142624**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756; *In re Robbins* (1998) 18 Cal.4th 770.)**ROBINSON (LEHMAN) ON H.C.****S142650**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**HODGE (ROBERT N.) ON H.C.**

S142663**LANDS (ROOSEVELT A.) ON H.C.**

Petition for writ of habeas corpus denied.

S141088 E037230 Fourth Appellate District, Div. 2**AMERICAN PRODUCTS v. LAW OFFICES
OF GELLER STEWART & FOLEY**

Depublication request denied.

S141577 B171904 Second Appellate District, Div. 4**DARLING v. MCDONALDS
CORPORATION**

Time extended to grant or deny review to and including June 1, 2006.

S121552 B161773 Second Appellate District, Div. 6 **MARTINEZ v. COMBS**

Extension of time granted. On application of appellants and good cause appearing, it is ordered that the time to serve and file appellants' reply brief on the merits is extended to May 26, 2006.

S133333**QUINTAL (BLANCA) ON H.C.**

On application of the Attorney General and good cause appearing it is ordered that the time to serve and file Respondent's Informal Response is extended to and including May 25, 2006.

S139443**ALATORRE (MARIANO) ON H.C.**

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the petitioner's reply to the Attorney General's Informal Response is extended to May 15, 2006.

S139917 A108641 First Appellate District, Div. 5**PROFESSIONAL ENGINEERS IN
CALIFORNIA GOVERNMENT v.
MORALES (CALTROP)**

On application of defendants and respondents and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to June 9, 2006.

S139917 A108641 First Appellate District, Div. 5**PROFESSIONAL ENGINEERS IN
CALIFORNIA GOVERNMENT v.
MORALES (CALTROP)**

On application of interveners and respondents and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to June 9, 2006.

S140032 G034891 Fourth Appellate District, Div. 3 **PEOPLE v. LICAS**

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to May 24, 2006.

S022998**PEOPLE v. TOWNSEL (ANTHONY L.)**

Marsden motion denied. Defendant's "Notice [and] Deutscher/Marsden Motion," filed on January 23, 2006, is denied as moot.

S029301**PEOPLE v. TULK (JAMES D.)**

In response to the "Request for Sealed Records Pursuant to Penal Code § 987.9, Subdivision (d)," filed in this court by the Attorney General, petitioner James David Tulk is directed to inform this court, no later than 30 days after the date of this order, which, if any, of the records sealed by the trial court pursuant to § 987.9, or portions thereof, are claimed to be subject to redaction before being provided to the Attorney General. (See *ibid.* ["the funding records, or relevant portions thereof, shall be provided to the Attorney General at the Attorney General's request"].)

S057063**PEOPLE v. ELLIOT (MICHAEL)**

The order filed in the above case on April 21, 2006, is amended to read as follows:

Upon request of condemned prisoner Michael Lee Elliot for appointment of counsel, James M. Crawford is hereby appointed to represent Michael Lee Elliot for habeas corpus/executive clemency proceedings related to the above automatic appeal now final in this court.

Any "petition for writ of habeas corpus will be presumed to be filed without substantial delay if it is filed . . . within 36 months" of this date (Supreme Ct. Policies Regarding Cases Arising From Judgments of Death, policy 3, timeliness std. 1-1.1), and it will be presumed that any successive petition filed within that period is justified or excused (see *In re Clark* (1993) 5 Cal.4th 750, 774-782), in light of this court's delay in appointing habeas corpus/executive clemency counsel on behalf of condemned prisoner Michael Lee Elliot.

S067353**PEOPLE v. GONZALES (IVAN)**

Appellant Ivan Joe Gonzales's "Motion to Preserve Records, Evidence, Exhibits, Files and Other Items Related to Automatic Appeal," filed on February 7, 2006, is denied.

S124494 B162235 Second Appellate District, Div. 7 **DORE v. ARNOLD WORLDWIDE**

Courtroom Connect's request to photograph, record, or broadcast, filed April 19, 2006, is denied. (Cal. Rules of Court, rule 980, subds. (b)(2), (e)(3)(B).)

S134855**JACKSON (GEORGETTE) ON H.C.**

The order filed on April 24, 2006, extending the time to serve and file the informal response to the petition for writ of habeas corpus to May 24, 2006, is amended to reflected the party above.

S142041**FREEMAN (FRED) ON H.C.**

Petitioner's "Application for Leave to File Sealed Exhibits," filed on March 21, 2006, is granted. (Cal. Rules of Court, rules 12.5(e), 243.1(d).) The court makes the following findings: (1) The exhibits contain sensitive personal information of jurors who served in petitioner's trial; (2) The overriding public interest in protecting the privacy of these jurors overcomes the public interest in access to the exhibits and supports sealing the exhibits; (3) A substantial probability exists that granting public access to the exhibits would compromise the privacy of these jurors; (4) The proposed sealing is narrowly tailored; and (5) No less restrictive means than sealing the exhibits would achieve the overriding interest in protecting the jurors' privacy.

The clerk of this court is directed to file under seal Exhibits 4-12 to the petition for writ of habeas corpus, lodged conditionally under seal on March 21, 2006. The parties are directed to protect the privacy of the jurors identified in Exhibits 4-12 in their submissions to this court, including eliminating all identifiable references to the jurors' gender and voir dire. (Cal. Rules of Court, rule 12.5(g).)

Chin, J., is recused and did not participate.

Corrigan, J., is recused and did not participate.

S141690**MOULTON-BARRETT, ACCUSATION OF**

Petition denied.

S141836**CHILDS, ACCUSATION OF**

Petition denied.

S141995**ACCUSATION OF, RICHARDSON**

Petition denied.

S142029**HAYBRON, ACCUSATION OF**

Petition denied.

S142077**CASTANEDA, ACCUSATION OF**

Petition denied.

S142118**SANDERS, ACCUSATION OF**

Petition denied.

S141201**ROGERS ON DISCIPLINE**

It is hereby ordered that **FREDERICK DOYLE ROGERS, State Bar No. 134459**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code § 6086.10 and are enforceable both as provided in Business and Professions Code § 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S141202**MCDONOUGH ON DISCIPLINE**

It is ordered that **PATRICK JAMES McDONOUGH, State Bar No. 66780**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 90 days and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California, as recommended by the Hearing Department of the State Bar Court in its decision filed on December 8, 2005. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he must remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of he actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code § 6086.10 and are enforceable both as provided in Business and Professions Code Social Services Agency 6 140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S141203 NELSON ON DISCIPLINE

Recommended discipline imposed. It is ordered that **GLENN DALE NELSON, State Bar No. 74832**, be suspended from the practice of law for one year and until he pays the restitution set forth in the Stipulation Re Facts, Conclusions of Law and Disposition, that execution of the suspension be stayed, and that he be placed on probation for four years subject to the conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 6, 2006. It is further ordered that he provide satisfactory proof of passage of the Multistate Responsibility Examination to the State Bar's Office of Probation no later than May 11, 2006. Costs are awarded to the State Bar in accordance with Business & Professions Code § 6086.10, and one-third of said costs be paid with membership fees for the years 2007, 2008, and 2009. It is further ordered that if Glenn Dale Nelson fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to § 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code § 6140.7 and as a money judgment.

4186 (Motion #708)**IN THE MATTER OF THE APPLICATION
OF THE COMMITTEE OF BAR EXAMINERS
OF THE STATE BAR OF CALIFORNIA FOR
ADMISSION OF ATTORNEYS**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ATTACHED LIST OF NAMES IN THE ORIGINAL ORDER.)

4186 (Motion #709)

IN THE MATTER OF THE APPLICATION
OF THE COMMITTEE OF BAR EXAMINERS
OF THE STATE BAR OF CALIFORNIA FOR
ADMISSION OF ATTORNEYS

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ATTACHED LIST OF NAMES IN THE ORIGINAL ORDER.)

B184807

**MCNETT v. NETWORK MANAGEMENT
GROUP, INC.**

The above entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Eight.

B180687

PEOPLE v. HEBERT

The time for granting review on the court's own motion is hereby extended to June 5, 2006.

